

Appendix A – Application Package

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OMB No. 3316-0060
Exp. Date 03/31/2007**JOINT APPLICATION FORM****Department of the Army/TVA**

The Department of the Army (DA) permit program is authorized by **Section 10 of the Rivers and Harbors Act of 1899** and **Section 404 of the Clean Water Act (P.L. 95-217)**. These laws require permits authorizing structures and work in or affecting navigable waters of the United States and the discharge of dredged or fill material into waters of the United States. **Section 26a of the Tennessee Valley Authority Act**, as amended, prohibits the construction, operation, or maintenance of any structure affecting navigation, flood control, or public lands or reservations across, along, or in the Tennessee River or any of its tributaries until plans for such construction, operation, and maintenance have been submitted to and approved by the Tennessee Valley Authority (TVA).

Name and Address of Applicant: Tim Butzke, Director-Plant Engineering Nuclear Chicago Bridge & Iron Company 8900 Fairbanks N. Houston Road Houston, TX 77064-6805 Telephone Number: Home <u>713.805.5909</u> cell _____ Office _____	Name, Address, and Title of Authorized Agent: _____ _____ _____ Telephone Number: Home _____ Office _____
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Location where activity exists or will occur (include Stream Name and Mile, if known):
 Tennessee River (Guntersville Lake) - River Mile 424.00

Application submitted to <input type="checkbox"/> DA <input checked="" type="checkbox"/> TVA Date activity is proposed to commence: <u>January, 2009</u>	Date activity is proposed to be completed: <u>January 2010</u>
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Describe in detail the proposed activity, its purpose and intended use (*private, public, commercial, or other*). Describe structures to be erected including those placed on fills, piles, or floating platforms. Also describe the type, composition, and quantity of materials to be discharged or placed in the water; the means of conveyance; and the source of discharge or fill material. Please attach additional sheets if needed.

This activity is a grassroots fabrication facility dedicated to the fabrication and assembly of steel structured planned for the construction of new commercial nuclear power generating plants. The proposed location for this facility is a greenfield site located in New Hope, Tennessee. The site is situated on the Tennessee River approximately 25 miles west of Chattanooga. The facility is designed for three distinct types of operations required to support the new construction for the nuclear industry:

- Receive steel plate, structural shapes, and pipe by truck and/or rail. Laydown areas, storage and handling of these materials will be performed at this facility.
 - Manufacturing operations including cutting, bending, assembling and welding large structures for nuclear construction efforts.
 - Handle large structures and load out on trucks for road hauling and/or barges for waterway shipments to nuclear construction sites.
- Year round road, rail, and water access is vital to the operation of this shop. The facility will be state-of-the-art utilizing automated material handling and robotics for welding and painting. A workforce of roughly 270 will be required during three shift operation. The facility is to be located on a 61 acre tract with 400,000 square feet metal building additional ancillary buildings including an administration facility, parking areas, service roads and a rail spur.

Application is hereby made for approval of the activities described herein. I certify that I am familiar with the information contained in this application, and that to the best of my knowledge and belief such information is true, complete, and accurate. I further certify that I possess the authority to undertake the proposed activities. I agree that, if this application is approved by TVA, I will comply with the attached terms and conditions and any special conditions that may be imposed by TVA at the time of approval. Please note the U.S. Army Corps of Engineers may impose additional conditions or restrictions.

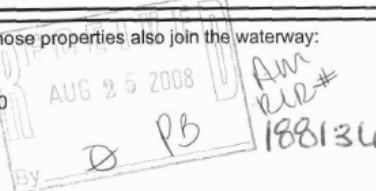
8/25/2008
Date


Signature of Applicant

18 U.S.C. Section 1001 provides that: Whoever, in any manner within the jurisdiction of any department or agency of The United States knowingly and willfully falsifies, conceals, or covers up by any trick, scheme, or device a material fact or makes any false, fictitious or fraudulent statements or representations or makes or uses any false writing or document knowing same to contain any false, fictitious or fraudulent statement or entry, shall be fined not more than \$10,000 or imprisoned not more than five years, or both. The appropriate DA fee will be assessed when a permit is issued.

Names, addresses, and telephone numbers of adjoining property owners, lessees, etc., whose properties also join the waterway:
 Tennessee Valley Authority

Nickajack Port Authority-Ronnie Blevins, Project Coord., VP of Port Authority-423.364.5440



List of previous DA/TVA permits/approvals	<input type="checkbox"/> DA _____ Permit Number	<input type="checkbox"/> TVA _____ Date
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Is any portion of the activity for which authorization is sought now complete? <input type="checkbox"/> Yes <input type="checkbox"/> No (If "Yes" attach explanation)
Month and year the activity was completed: _____ . Indicate the existing work on the drawings.

List all approvals or certifications required by other federal, interstate, state, or local agencies for any structures, construction, discharges, deposits, or other activities described in this application.

Issuing Agency	Type Approval	Identification No.	Date of Application	Date of Approval

Has any agency denied approval for the activity described herein or for any activity directly related to the activity described herein? <input type="checkbox"/> Yes <input type="checkbox"/> No (If "Yes" attach explanation)

Project plans or drawings should accompany the application. These should be on paper suitable for reproduction no larger than 11 x 17 inches or contained on a 3-1/2 inch floppy computer disc in "dxf" format, and should be submitted to the appropriate TVA and U.S. Army Corps of Engineers offices. An application that is not complete will be returned for additional information.

U.S.A.C.E. Offices		TVA Office Location
U.S. Army Corps of Engineers Eastern Regulatory Field Office Spring Cress Business Park 501 Adessa Blvd., Suite 250 Lenoir City, Tennessee 37771 (865) 986-7296	U.S. Army Corps of Engineers Savannah District The Plaza, Suite 130 1590 Adamson Parkway Morrow, Georgia 30260-1763 (678) 422-2729	Tennessee Valley Authority
U.S. Army Corps of Engineers Regulatory Branch 3701 Bell Road Nashville, Tennessee 37214 (615) 369-7500	U.S. Army Corps of Engineers Western Regulatory Field Office 2042 Beltline Road, SW, Bldg C, Suite 415 Decatur, Alabama 35602 (256) 350-5620	
U.S. Army Corps of Engineers Norfolk District P.O. Box 338 Abingdon, Virginia 24212 (276) 623-5259	U.S. Army Corps of Engineers Asheville Regulatory Field Office 151 Patton Avenue, Room 208 Asheville, North Carolina 28801-5006 (828) 271-4856	

<p align="center">Privacy Act Statement</p> <p>This information is being requested in accordance with Section 26a of the TVA Act as cited on the front page of this form. Disclosure of the information requested is voluntary; however, failure to provide any required information or documents may result in a delay in processing your application or in your being denied a Section 26a permit. An application that is not complete will be returned for additional information. TVA uses this information to assess the impact of the proposed project on TVA programs and the environment and to determine if the project can be approved. Information in the application is made a matter of public record through issuance of a public notice if warranted. Routine uses of this information include providing to federal, state, or local agencies, and to consultants, contractors, etc., for use in program evaluations, studies, or other matters involving support services to the program; to respond to a congressional inquiry concerning the application or Section 26a program; and for oversight or similar purposes, corrective action, litigation or law enforcement.</p>
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<p align="center">Burden Estimate Statement</p> <p>Public reporting burden for this collection of information is estimated to average 1.5 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden to Agency Clearance Officer, Tennessee Valley Authority, 1101 Market Street, Chattanooga, Tennessee 37402; and to the Office of Management and Budget, Paperwork Reduction Project (3316-0060), Washington, D.C. 20503.</p>
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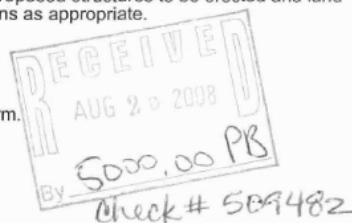
TENNESSEE VALLEY AUTHORITY

Sensitive Information

LAND USE APPLICATION

Tennessee Valley Authority (TVA) Environmental Stewardship and Policy receives several hundred requests annually for use of TVA land or landrights. Please fill out this application completely. TVA has implemented a cost recovery system so that those who benefit directly from the use of public lands reimburse TVA for its total cost. The appropriate initial payment or standard fee must be included with your application. You will be billed for any additional costs for those actions that exceed the initial payment. Please see the attached sheet TVA Land Transaction Fees for additional information. If you have any questions, please call your local TVA Environmental Stewardship and Policy Watershed Team.

TVA OFFICIAL USE ONLY RLR No.: <u>187965</u> Tract No. Assigned by Realty: _____			
1. Name and Mailing Address of Applicant: <u>Chicago Bridge & Iron</u> Tim Butzke, Dir.- Plant Engineering Nuclear, CB&I 8900 Fairbanks N. Houston Road Houston, TX 77064-6805 Home Telephone No.: <u>713.805.5909 cell</u> Office Telephone No.: _____ E-Mail Address: <u>tbutzke@CBI.com</u> SSN or Federal ID No.: <u>36-3026565</u>	2. Name, Address, and Title of Authorized Agent: (i.e., builder, engineer.) Include a letter confirming your authorization. _____ _____ _____ Home Telephone No.: _____ Office Telephone No.: <u>526.571.4292</u>		
3. Location: <i>Attach a location map and a map showing boundaries of TVA land needed.</i> Subdivision: _____ Subdivision Plat Lot No.: _____ Tax Map & Parcel No.: <u>db 281, pg 472</u> <u>154-015.00</u> Reservoir: <u>Guntersville</u> River: <u>Tennessee</u> River Mile: <u>424.00</u>	4. Type of Land Use Required: <i>Please call your local TVA Environmental Stewardship and Policy Team (WT) to help us determine the appropriate TVA action needed.</i> <table style="width: 100%;"> <tr> <td style="width: 50%; vertical-align: top;"> Approval by TVA WT: <input checked="" type="checkbox"/> Land Use Permit <input type="checkbox"/> License Agreement <input type="checkbox"/> Sufferance Agreement <i>(Complete page 1 only)</i> </td> <td style="width: 50%; vertical-align: top;"> Approval by TVA Board: <input checked="" type="checkbox"/> Easement <input type="checkbox"/> Deed Modification <input type="checkbox"/> Lease (____ years needed) <input type="checkbox"/> Abandonment <input type="checkbox"/> Land Transfer </td> </tr> </table>	Approval by TVA WT: <input checked="" type="checkbox"/> Land Use Permit <input type="checkbox"/> License Agreement <input type="checkbox"/> Sufferance Agreement <i>(Complete page 1 only)</i>	Approval by TVA Board: <input checked="" type="checkbox"/> Easement <input type="checkbox"/> Deed Modification <input type="checkbox"/> Lease (____ years needed) <input type="checkbox"/> Abandonment <input type="checkbox"/> Land Transfer
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5. Proposed Time Schedule for your Project: Start Date: <u>January, 2009</u> Projected Completion Date: <u>January, 2010</u>			
6. Describe your project, its purpose and intended use: Describe the proposed development, on or off TVA land. Include a general description of proposed structures to be erected and land disturbance including vegetation removal, fills or excavations. Attach a copy of detailed plans as appropriate. See attached Executive Summary.			
7. Will federal assistance be used as part of this project? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, describe activity and complete Applicant Information Pre-Award Form.			
8. Authorization for TVA to process your application: Application is hereby made for approval of the land use described herein. I certify that I am familiar with the information contained in this application, and that to the best of my knowledge and belief such information is true, complete, and accurate. I further certify that I possess the authority to undertake the proposed activities. By submitting this request, I understand credit checks will be performed as part of the normal business procedure. Additional financial information may be requested.			
PAYMENT TERMS: Payment for Land Transaction Fees and any related costs are due Net thirty (30) days from the date of invoice. On any overdue payment, TVA shall charge interest at the rate payable by TVA under the United States Prompt Payment Act (31 U.S.C. §§3901-3906), from the date payment is due until the date TVA receives payment. Payment of interest shall be due within thirty (30) days after TVA's invoice for such interest is dated.			
Failure by the Customer to pay all invoices within sixty (60) days will result in termination of the request.			



Sensitive Information**8. Authorization (continued)**

I understand TVA charges a standard fee for minor land actions, and that full cost recovery is required for all other actions. I understand and agree to pay all of TVA's costs associated with the processing of this application. Upon receipt of a complete application and standard fee or initial processing fee, TVA will initiate the review of the request. Upon completion of the draft instrument, a standard closing cost fee of \$800.00 will be assessed for deed execution, mailing, and filing. Payment of any fee does not guarantee TVA approval. TVA may impose terms and conditions at the time of the approval. The processing fees are in addition to any payment required for the purchase or use of the TVA land. Any unused portion of the processing fee will be refunded. I understand TVA will invoice me monthly when costs exceed the initial processing fee.

8/25/2008

Date

Signature of Applicant

9. Anticipated Economic Impacts of your Project:

A. Projected cost estimate and funding source (if project is to be completed in phases, please include time schedule and costs for each phase):

110,000,000 - funded by CB&I

B. Number of jobs to be created - Near - Term (including construction) 100+
Long - Term 300+

C. Negative socioeconomic impacts considered:

No negative socioeconomic impacts are anticipated. If there are any that occur then they will be mitigated during the construction process.

D. Expected public and investor benefits:

None

10. Describe Anticipated Environmental Impacts: (Include copies of reviews, assessments, or letters from federal or state agencies)

If endangered mussels or snail are found. They will have to be relocated. Operational environmental impacts will not be expected due to CB&I commitment to the environment.

11. Alternative Site(s) Considered: (Include justification for rejecting alternate locations; attach explanation if needed)

The manufacturing process requires excellent river, rail, and highway access. Sites meeting all three criteria were very limiting.

12. List all permits, approvals, or certifications required by other federal, state, or local agencies:

(Include those required for any structure, construction activity, discharge or other activities described in this application)

Issuing Agency	Type Approval	Identification Number	Date of Application	Date of Approval

13. Has any agency denied approval for the project described herein or any activity related to the project?

☒ No ☐ Yes (If "Yes", attach explanation)

A complete request should include:

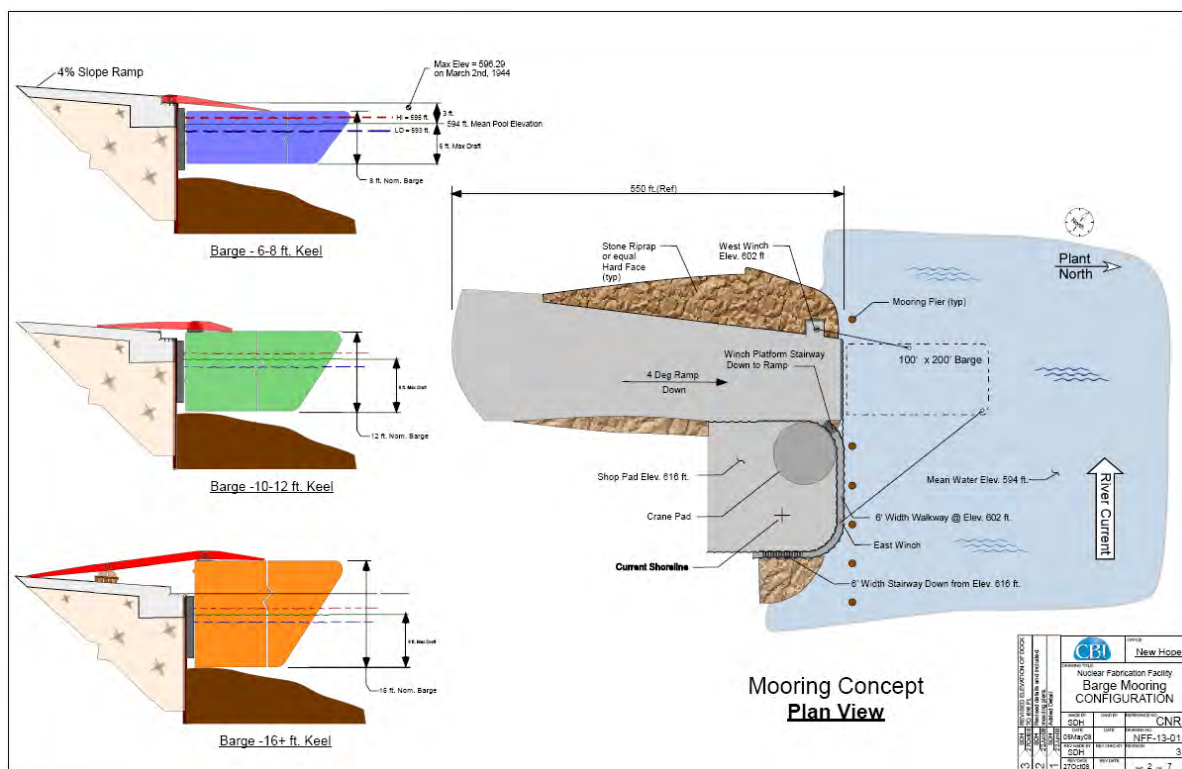
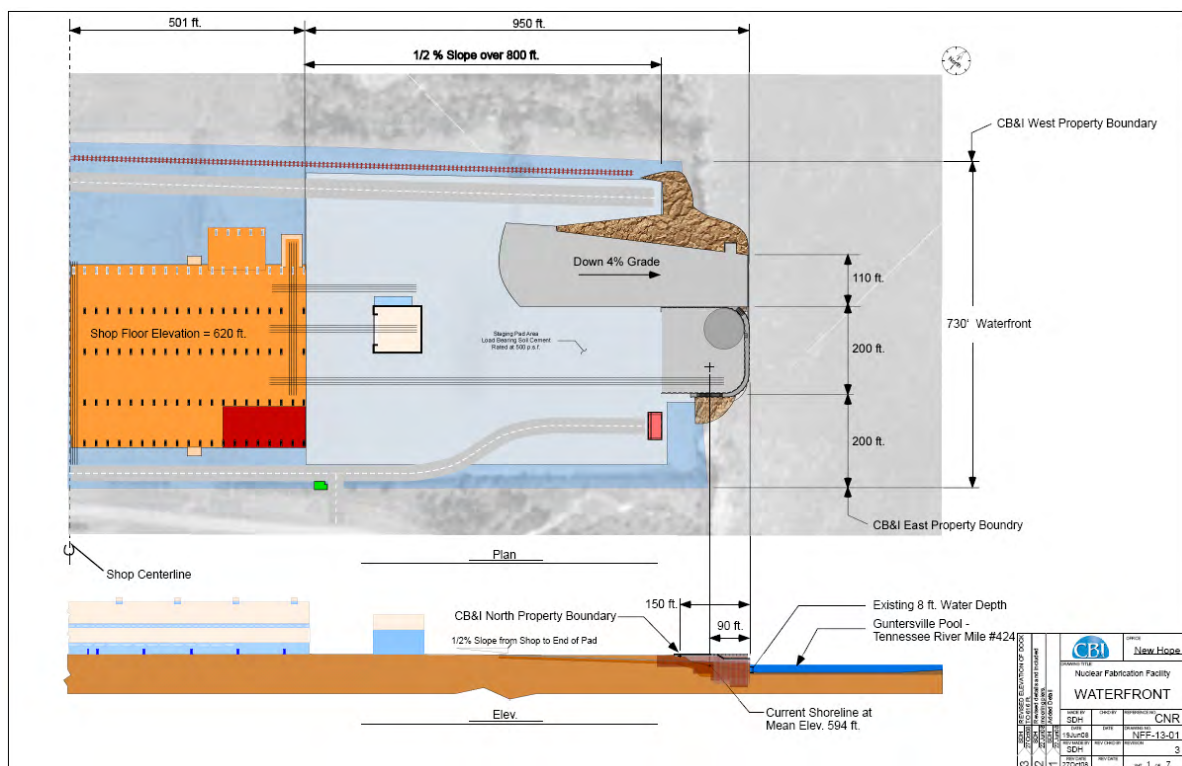
1. This completed application form and a check or money order with Social Security Number or Federal ID Number on the check made payable to "TVA" for the appropriate land transaction fee.
2. A location map indicating the area of TVA land or landrights affected by the project.
3. Drawing(s) or plan(s) of any proposed construction activity or development which would result if land or landrights are granted.
4. Other documents as available (surveys, environmental documents, etc.).

FOR TVA USE ONLY

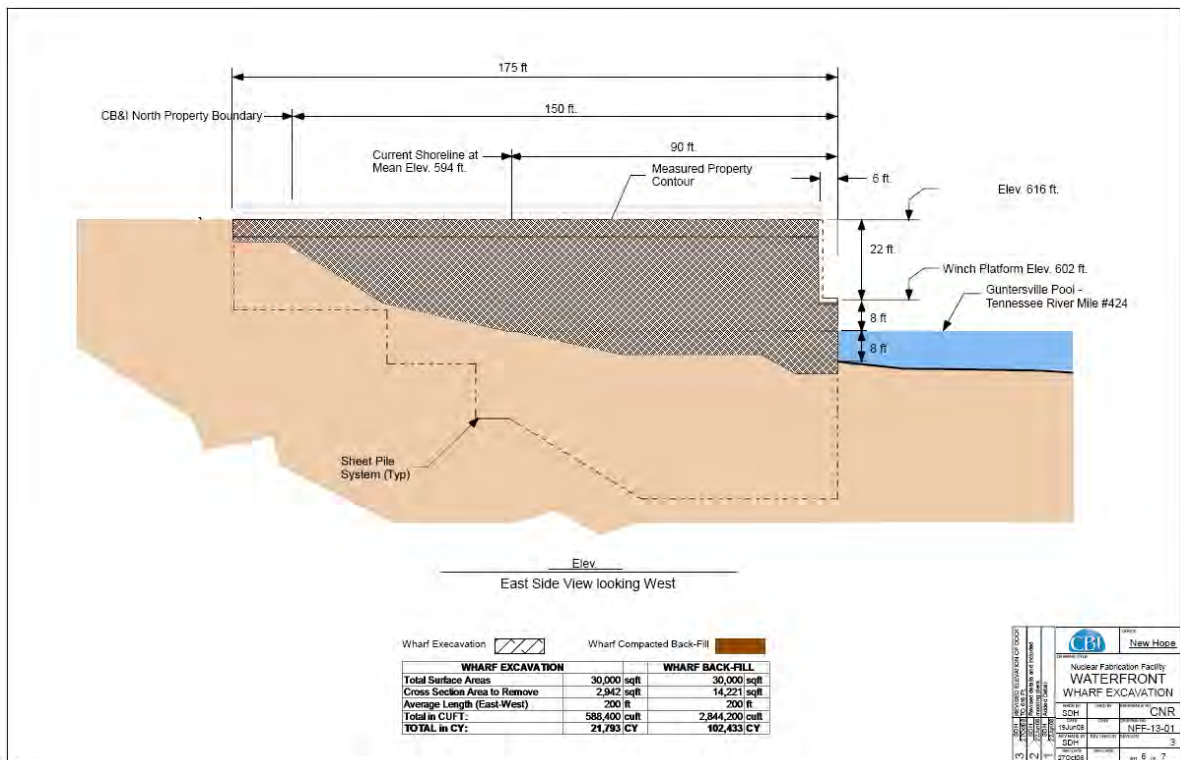
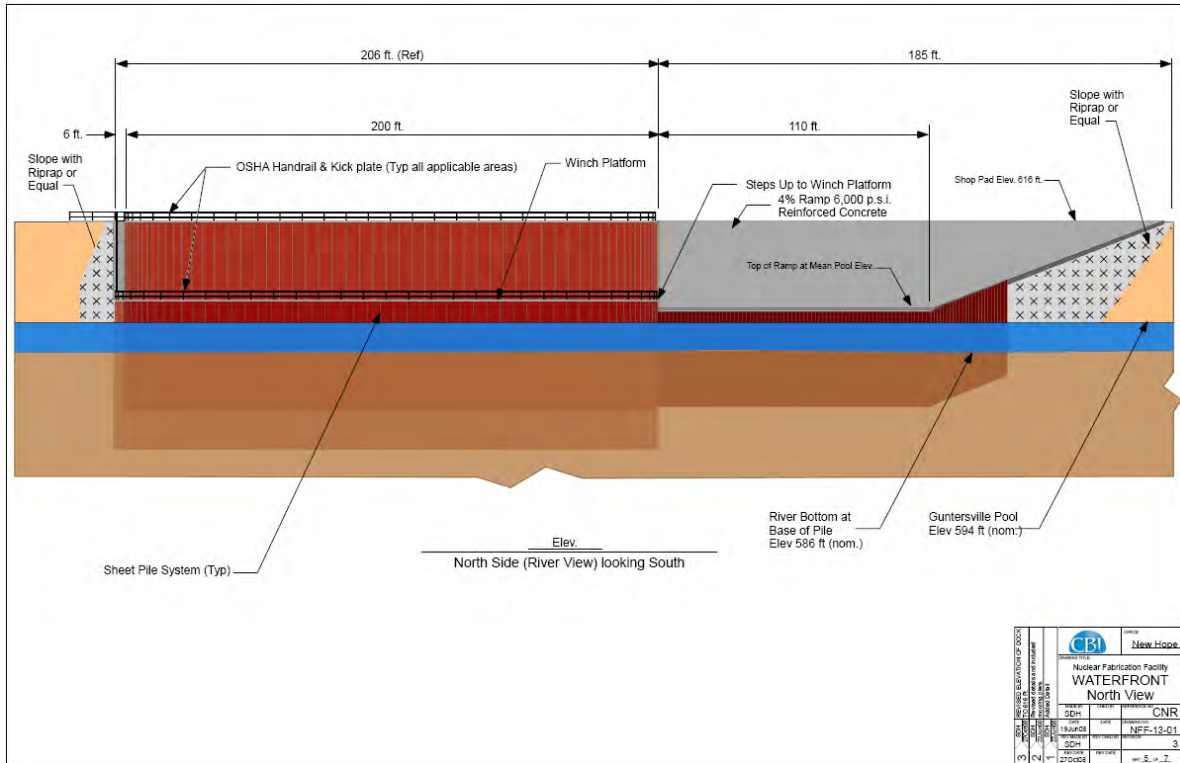
August 25, 2008 DGB
Date Application Received Initials

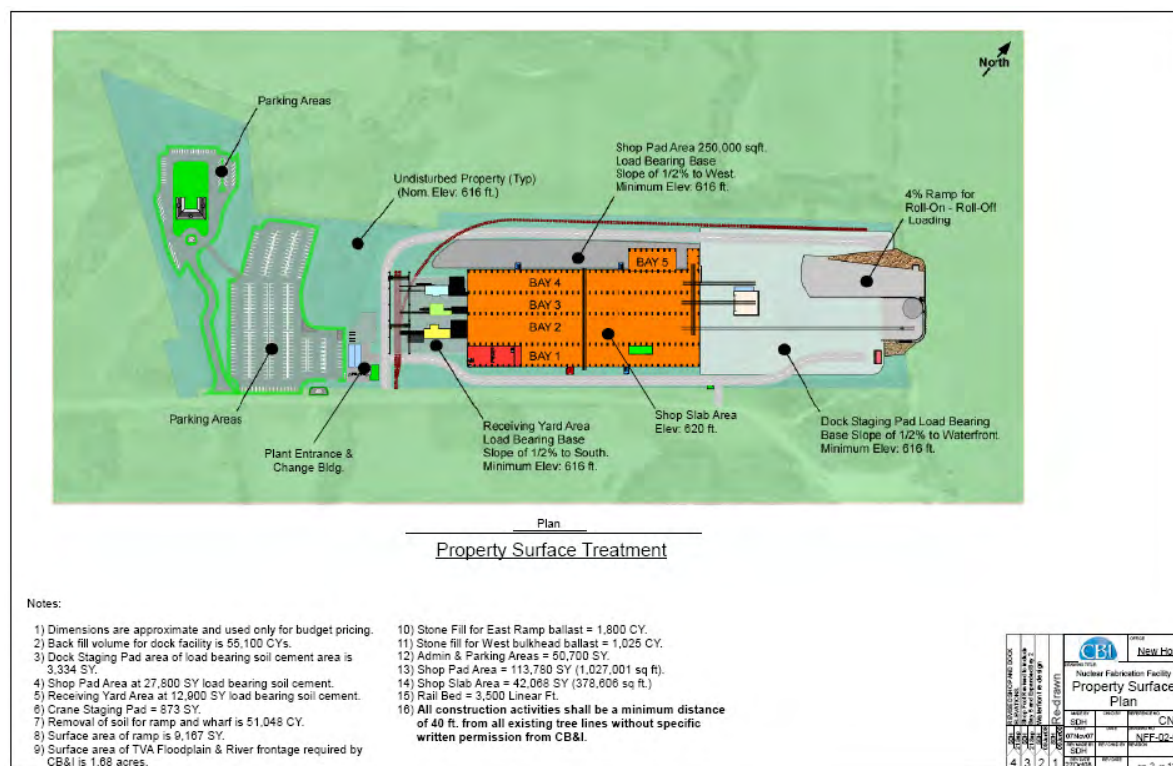
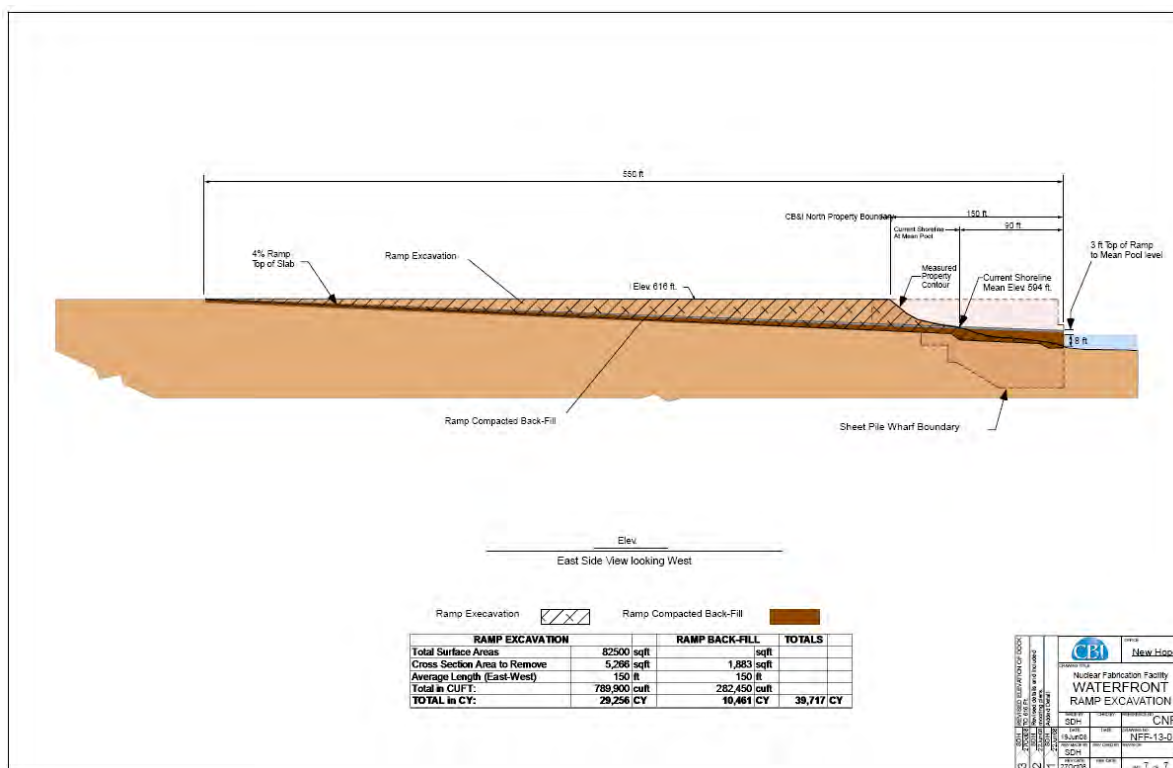
August 25, 2008 DGB
Date Application Complete Initials

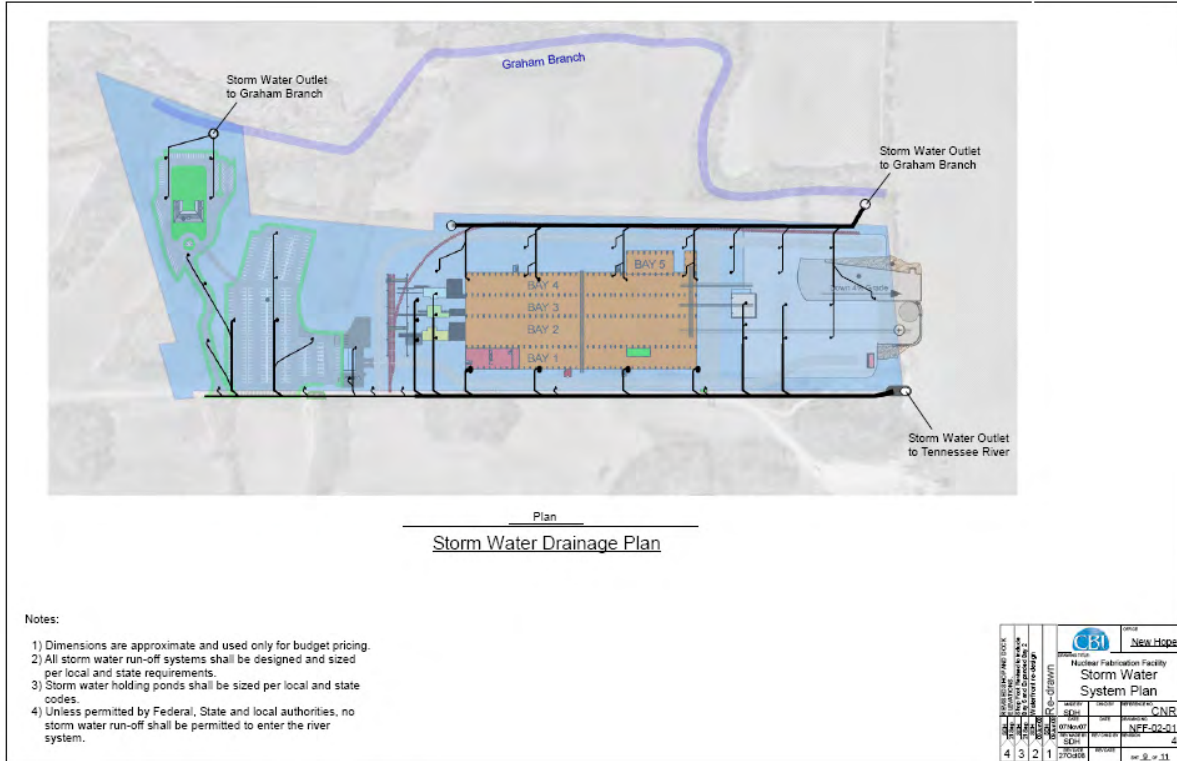
D. G. Brewster
Team Manager











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